

P1029/N8595

**Remarks**

Claims 1-29 are pending in the above-captioned application, with claims 5 and 6 rejected under 35 U.S.C. §112, claims 1, 2, 4, 6, 16-20, 22 and 23 rejected under 35 U.S.C. §102(e) over Tzeng (U.S. 6,482,520) and claims 3, 5, 21 and 24-29 rejected under 35 U.S.C. §103, also over Tzeng. Claims 1, 22 and 29 have been amended herein, and claims 2-6, 8, 9, 18-21 and 23 canceled in order to more completely define Applicants' invention as well as to expedite prosecution. Reconsideration of all claims 1, 7, 10-17, 22 and 24-29 is believed appropriate and is respectfully requested.

**Allowed Claims**

Claims 7-15 are not rejected in the Office Action, and thus stand allowed. Issuance of a Notice of Allowance on these claims (now claims 7 and 10-15 after the claim cancellations made herein) is requested.

**Restriction Requirement**

It is noted that the Election of Species Requirement mailed May 6, 2003 has been withdrawn, and that all pending claims 1-29 have been examined and acted on in the Office Action of July 6, 2004.

**Rejection Under 35 U.S.C. §112**

Claims 5 and 6 stand rejected under 35 U.S.C. §112, as being indefinite in lacking antecedent basis for the expression "the application of pressure to the

P1029/N8595

"laminate" and unclear in the use of the term "greater density" in claim 6. However, since claims 5 and 6 have been canceled herein, this rejection should be withdrawn.

### Rejections Over Tzeng

As noted above, claims 1-6 and 16-29 (now claims 1, 16, 17, 22, 24-29) rejected under 35 U.S.C. §102(e) or 35 U.S.C. §103 over Tzeng (U.S. 6,482,520). Since Tzeng does not disclose or suggest the invention of the rejected claims, as amended, these rejections should be withdrawn.

More particularly, Tzeng (commonly assigned with the above-captioned application) discloses a thermal interface or thermal spreader, formed of one or more sheets of flexible graphite. Nothing in Tzeng, however, discloses or even remotely suggests forming a laminate of flexible graphite sheets and then exposing the laminate to increased pressure to further align the graphene layers of the component sheets, nor that doing so would improve the thermal performance of the laminate. Moreover, nothing in Tzeng teaches the density of the thusly-produced laminate (claims 17 and 25), nor the amount of pressure preferred to accomplish this (claims 28 and 29).

Accordingly, Tzeng cannot be seen to anticipate or suggest the invention of the remaining claims in the above-captioned application, especially as amended, and the rejections under 35 U.S.C. §102(e) and 35 U.S.C. §103 should be withdrawn.

P1029/N8595

## CONCLUSION

Based on the foregoing amendments and remarks, it is believed that all pending claims 1, 7, 10-17, 22 and 24-29 are now in condition for allowance. Entry of this amendment and allowance of all pending claims is, therefore, respectfully requested. If there remains any matter which prevents the allowance of any of these claims, the Examiner is requested to call the undersigned, collect, at 615-242-2400 to arrange for an interview which may expedite prosecution.

The Commissioner is authorized to charge any deficiency associated with the filing of this Response to Deposit Account No. 50-1202.

Respectfully submitted,



James R. Cartiglia  
Registration No. 30,738  
WADDEY & PATTERSON  
A Professional Corporation  
Customer No. 23456

ATTORNEY FOR APPLICANT

Waddey & Patterson  
414 Union Street, Suite 2020  
Bank of America Plaza  
Nashville, TN 37219  
(615) 242-2400

P1029/N8595

**CERTIFICATE OF FACSIMILE TRANSMITTAL**

I hereby certify that this RESPONSE TO OFFICE ACTION (8 pages) and Certificate of Facsimile transmittal (1 page) are being sent via facsimile to the United States Patent and Trademark Office at (703) 872-9306.

James R. Cartiglia



Signature  
Registration Number 30,738

10/06/04  
Date